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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	<b>10/817,212</b>	
			Filing Date	<b>April 2, 2004</b>	
			First Named Inventor	<b>Steven R. Kleiman</b>	
			Art Unit	<b>2187</b>	
Examiner Name	<b>Nguyen, Than Vinh</b>				
Sheet	1	of	8	Attorney Docket Number	<b>112056-0126D1</b>

U.S. PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
	1	3876978		04-1975	Bossen et al.	
	2	4092732		05-1978	Ouchi	
	3	4201976		05-1980	Patel	
	4	4205324		05-1980	Patel	
	5	4375100		02-1983	Tsuji et al.	
	6	4467421		08-1984	White	
	7	4517663		05-1985	Imazeki et al.	
	8	4667326		05-1987	Young et al.	
	9	4688221		08-1987	Nakamura et al.	
	10	4722085		01-1988	Flora et al.	
	11	4755978		07-1988	Takizawa et al.	
	12	4761785		08-1988	Clark et al.	
	13	4775978		10-1988	Hartness	
	14	4796260		01-1989	Schilling et al.	
	15	4805098		02-1989	Mills et al.	
	16	4817035		03-1989	Timsit	
	17	4825403		04-1989	Gershenson et al.	
	18	4837680		06-1989	Crocket et al.	
	19	4847842		07-1989	Schilling	
	20	4849929		07-1989	Timsit	
	21	4849974		07-1989	Schilling et al.	
	22	4849976		07-1989	Schilling	
	23	4870643		09-1989	Bultman et al.	
	24	4899342		02-1990	Potter et al.	
	25	4989205		01-1991	Dunphy, Jr. et al	
	26	4989206		01-1991	Dunphy, Jr. et al	
	27	5077736		12-1991	Dunphy, Jr. et al	
	28	5088081		02-1992	Farr	

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	29	5101492		03-1992	Schultz et al.	
	30	5128810		07-1992	Halford	
	31	5148432		09-1992	Gordon et al.	
	32	RE34100	E	10-1992	Hartness	
	33	5163131		11-1992	Row et al.	
	34	5166936		11-1992	Ewert et al.	
	35	5179704		01-1993	Jibbe et al.	
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	37	5208813		05-1993	Stallmo	
	38	5210860		05-1993	Pfeffer et al.	
	39	5218689		06-1993	Hotle	
	40	5233618		08-1993	Glider et al.	
	41	5235601		08-1993	Stallmo et al.	
	42	5237658		08-1993	Walker et al.	
	43	5257367		10-1993	Goodlander et al.	
	44	5274799		12-1993	Brant et al.	
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	46	5305326		04-1994	Solomon et al.	
	47	5351246		09-1994	Blaum et al.	
	48	5442752	A1	08-1995	Styczinski	
	49	5410667		04-1995	Belsan et al.	
	50	5459842		10-1995	Begun et al.	
	51	5537567		07-1996	Galbraith et al.	
	52	5579475		11-1996	Blaum et al.	
	53	5623595		04-1997	Bailey	
	54	5805788		09-1998	Johnson	
	55	5812753		09-1998	Chiarotti	
	56	5819292		10-1998	Hitz et al.	
	57	5860003		01-1999	Eidler et al.	

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	58	5860091		01-1999	DeKoning et al.	
	59	5862158		01-1999	Baylor et al.	
	60	5884098		03-1999	Mason, Jr.	
	61	5948110		09-1999	Hitz et al.	
	62	5950225		09-1999	Kleiman	
	63	5963962		10-1999	Hitz et al.	
	64	6038570		03-2000	Hitz et al.	
	65	6092215		07-2000	Hodges et al.	
	66	6101568		08-2000	Richardson	
	67	6138126		10-2000	Hitz et al.	
	68	6138201		10-2000	Rebalski	
	69	6148368		11-2000	DeKoning	
	70	6158017		12-2000	Han et al.	
	71	6195727		02-2001	Islam et al.	
	72	6223300		04-2001	Gotoh	
	73	6289356		09-2001	Hitz et al.	
	74	6298415		10-2001	Riedle	
	75	6490664		12-2002	Jones et al.	
	76	6532548		03-2003	Hughes	
	77	6581185		06-2003	Hughes	
	78	7254813		08-2007	Leong et al.	
	79	2003/0182348	A1	09-2003	Leong et al.	
	80	2003/0192349	A1	09-2003	Leong et al.	

FOREIGN PATENT DOCUMENTS						
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		Country Code <sup>3</sup> –Number <sup>4</sup> –Kind Code <sup>5</sup> (if known)				
	81	JP 2001-154,811	06-08-2001	Hirofuji		
	82	JP 2001-188,658	06-10-2001	Motosawa		
	83	WO 94/29796	12-22-1994	Hitz et al.		
	84	WO 94/29795	12-22-1994	Hitz et al.		

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NON PATENT LITERATURE DOCUMENTS			
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	85	"Complaint for Patent Infringement and Demand for Jury Trial", filed September 5, 2007 in United States District Court for the Eastern District of Texas, Lufkin Division. Civil Action No. 9:07CV206, 18 pages.	
	86	"Defendant Sun Microsystems, Inc.'s Answer and Counterclaim to Plaintiff Network Appliance, Inc.'s Complaint for Patent Infringement", filed October 25, 2007 in United States District Court for the Eastern District of Texas, Lufkin Division. Civil Action No. 9:07CV206, 64 pages.	
	87	"Network Appliance's Reply to Sun's Answer and Counterclaims", filed December 7, 2007 in United States District Court for the Northern District of California, San Francisco Division. Case No. 3:07-CV-06053-EDL, 39 pages.	
	88	"Defendant-Counterclaim Plaintiff Sun Microsystems, Inc.'s Preliminary Invalidity Contentions and Accompanying Document Production for U.S. Patent No. 7,200,715" filed March 6, 2008 in United States District Court for the Northern District of California, San Francisco Division. Case No. 3:07-CV-06053-EDL, 99 pages.	
	89	SHIRRIFF et al. "Sawmill: A High Bandwidth Logging File System", Proceedings of the USENIX Summer 1994 Technical Conference - Volume 1, published in 1994, 12 pages.	
	90	UYSAI et al. "A Modular, Analytical Throughput Model for Modern Disk Arrays", Published in the Ninth International Symposium on Modeling, Analysis and Simulation of Computer and Telecommunication Systems (MASCOTS-2001), August 15-18, 2001, Cincinnati, Ohio, USA, 10 pages.	
	91	WILKES et al. "The HP AutoRAID Hierarchical Storage System", ACM Transactions on Computer Systems, Vol. 14, No.1, February 1996, Pages 108-136.	
	92	GIBSON, GARTH A. "Redundant Disk Arrays: Reliable, Parallel Secondary Storage", published by the MIT Press, Cambridge, Massachusetts, 1992, 26 pages.	
	93	Common Internet File System (CIFS) Version: CIFS-Spec 0.9, Storage Networking Industry Association (SNIA), Draft SNIA CIFS Documentation Work Group Work-in-Progress, Revision Date: Mar. 26, 2001.	
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	95	DAVID HITZ et al. TR 3002 File System Design for an NFS File Server Appliance, published by Network Appliance, Inc., Mar. 1995.	
	96	CHEN PENG et al. "The Design of High Performance Control System in RAID" Computing in High Energy Physics Aug. 31, 1998, pp. 1-8, Chicago, IL.	
	97	European Search Report, Examiner D. Mazur, April 3, 2005.	
	98	ANVIN, PETER H. "The Mathematics of RAID 6" Dec. 2004.	

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	99	Auspex 4Front NS2000, System Architecture, Network-Attached Storage for a New Millennium, Auspex Engineering Technical Report 24 Jan. 1999.	
	100	BESTAVROS, AZER et al. "Reliability and Performance of Parallel Disks", Technical Memorandum 45312-891206-01TM, AT&T, Bell Laboratories, Department 45312, Holmdel NJ, Dec. 1989.	
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	102	BULTMAN, DAVID L., "High Performance SCSI Using Parallel Drive Technology", In Proc. BUSCON Conf., pp. 40-44, Anaheim, CA, Feb. 1988.	
	103	CHEN, PETER et al., "Two Papers on RAID's". Technical Report, CSD-88-479, Computer Science Division, Electrical Engineering and Computer Sciences, University of California at Berkeley (1988).	
	104	CHEN, PETER M. et al., "RAID: High Performance, Reliable Secondary Storage, ACM Computing Surveys, 26(2): 145-185, June 1994.	
	105	CHEN, PETER M. et al. "Maximizing Performance in a Striped Disk Array, Proc. 1990 ACM SIGARCH 17 <sup>th</sup> Intern. Symp. On Comp. Arch., Seattle, WA, May 1990, pp. 322-331.	
	106	CHEN PETER M. et al., "An Evaluation of Redundant Arrays of Disks Using an Amdahl 5890", Performance Evaluation, pp. 74-85, 1990.	
	107	CHERVENAK, ANN L., "Performance Measurement of the First RAID Prototype", Technical Report UCB/CSD 90/574, Computer Science Division (EECS), University of California, Berkeley, May 1990.	
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	110	EVANS, "The Tip of the Iceberg: RAMAC Virtual Array – Part I", Technical Support, March 1997, pp. 1-4.	
	111	GIBSON, GARTH A. et al. "Coding Techniques for Handling Failures in Large Disk Arrays", Technical Report UCB/CSD 88/477, Computer Science Division, University of California, July 1988.	
	112	GIBSON, GARTH A. et al. "Failure Correction Techniques for Large Disk Arrays", In Proceedings Architectural Support for Programming Languages and Operating Systems, Boston, April 1989, pp. 123-132.	

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	114	GOLDICK, JONATHAN S. et al., "Multi-resident AFS: An Adventure in Mass Storage", in Proceedings of the 1995 USENIX Technical Conference, pp. 47-58, Jan. 1995.	
	115	GRAHAM, SUSAN L. et al., "Massive Information Storage, Management and Use" (NSF Institutional Infrastructure Proposal), Technical Report No. UCB/CSD 89/493, Jan. 1989.	
	116	GRAY, JIM et al. "Parity Striping of Disc Arrays: Low Cost Reliable Storage with Acceptable Throughput", in Proceedings of the 16 <sup>th</sup> Very Large Data Bases Conference, pp. 148-161, Brisbane, Australia, 1990.	
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	124	KIM, MICHELLE Y., "Synchronized Disk Interleaving", IEEE Transactions on Computers, C-35(11):978-988, Nov. 1986.	
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	126	LAWLOR, F.D., "Efficient Mass Storage Parity Recovery Mechanism", IBM Technical Disclosure Bulletin 24(2):986-987, July 1981.	

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				Filing Date	April 2, 2004
				First Named Inventor	Steven R. Kleiman
				Group Art Unit	2187
				Examiner Name	Nguyen, Than Vinh
Sheet	7	of	8	Attorney Docket Number	112056-0126D1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	127	LEE, EDWARD K. et al., "RAID-II: A Scalable Storage Architecture for High-Bandwidth Network File Service", Technical Report UCB/CSD 92/672, Feb. 1992.	
	128	LI, DON et al., "Authors' Reply", IEEE Transactions on Communications, 46:575, May 1998.	
	129	LIVNY, MIRON et al., "Multi-Disk Management Algorithms", in Proceedings of the ACM International Conference on Measurement and Modeling of Computer Systems (SIGMETRICS), pp. 69-77, Banff, Alberta, Canada, May 1987.	
	130	MEADOR, WES E., "Disk Array Systems", Proceedings of COMPCON, 1989, pp. 143-146.	
	131	NG, SPENCER et al. "Tradeoffs Between Devices and Paths in Achieving Disk Interleaving", IEEE International Symposium on Computer Architecture, 1988, pp. 196-201.	
	132	NG, SPENCER. "Some Design Issues of Disk Arrays", Proceedings of COMPCON Spring 1989, pp. 137-142, IEEE, 1989.	
	133	PARK, ARVIN et al., "Providing Fault Tolerance in Parallel Secondary Storage Systems", Technical Report CS-TR-057-86, Princeton, Nov. 1986.	
	134	PATEL, ARVIND M., "Adaptive Cross-Parity (AXP) Code for a High-Density Magnetic Tape Subsystem", IBM Technical Disclosure Bulletin 29(6):546-562, Nov. 1985.	
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	137	PATTERSON, DAVID A. et al., "Introduction to Redundant Arrays of Inexpensive Disks (RAID), in IEEE Spring 89 COMPCON, San Francisco, IEEE Computer Society Press, Feb. 27-Mar. 3, 1989, pp. 112-117.	
	138	STORAGESUITE "Performance Without Compromise: The Virtual Storage Architecture", catalogue, 1997.	
	139	REDDY, A.L. NARASIMHA et al., "An Evaluation of Multiple-Disk I/O Systems", IEEE Transactions on Computers, Vol. 38, No. 12, December 1989, pp. 1680-1690.	
	140	SCHULZE, MARTIN E. "Considerations in the Design of a RAID Prototype", Computer Science Divisions, Department of Electrical Engineering and Computer Sciences, University of California at Berkeley, August 25, 1988.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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	141	SCHULZE, MARTIN et al., "How Reliable is a RAID?", Proceedings of COMPCON, 1989, pp. 118-123.	
	142	SHIRRIFF, KENNETH W., "Sawmill: A Logging File System for a High-Performance RAID Disk Array, CSD-95-862, Jan. 1995.	
	143	STONEBRAKER, MICHAEL et al., "The Design of XPRS", Proceedings of the 14 <sup>th</sup> VLDB Conference, Los Angeles, California (1988).	
	144	TANABE, TAKAYA et al. "Redundant Optical Storage System Using DVD-RAM Library", IEEE Symposium on Mass Storage pp. 80-87, March 1999.	
	145	TWETEN, DAVID. "Hiding Mass Storage Under UNIX: NASA's MSS-H Architecture", IEEE Symposium on Mass Storage, pp. 140-145, May 1990.	
	146	GUINGDALE, A., European Search Report for Application No. 03251802.9, June 30, 2006, 3 pages.	
	147	"Sun Microsystems Inc.'s Opening Claim Construction Brief", filed on July 7, 2008, in United States District Court for the Northern District of California, San Francisco Division. Case No. 3:07-CV-06053-EDL, 43 pages.	
	148	"Plaintiff NetApp Inc.'s Reponse to Sun's Opening Claim Construction Brief", filed on July 21, 2008, in United States District Court for the Northern District of California, San Francisco Division. Case No. 3:07-CV-06053-EDL, 47 pages.	
	149	"Sun Microsystems Inc.'s Reply Claim Construction Brief", filed on August 1, 2008, in United States District Court for the Northern District of California, San Francisco Division. Case No. 3:07-CV-06053-EDL, 41 pages.	

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